

Appl. No. : 10/815,905
Filed : March 31, 2004

REMARKS

In response to the Office Action, Applicants respectfully request the Examiner to reconsider the pending rejections in view of the following comments.

Claim Rejections under 35 U.S.C. § 102

Claims 20, 21, 23 and 26-28 have been rejected as being anticipated by Pei et al. (U.S. 2004/0263028). Applicants respectfully traverse these rejections. Applicants submit that Pei et al. fails to teach or suggest the recited combinations of claim limitations, including an interferometric modulation pixel comprising a hydrophobic layer on a cavity-side surface of a first electrode.

The Examiner contends that the metal surface 268 of Pei et al. is a first electrode, and references paragraph 0172 of Pei et al. with respect to the hydrophobic layer. However, Pei et al. does not disclose any layer, much less a hydrophobic layer, to be on the metal surface 268. Instead, paragraph 0172 refers to the adhesion of a hydrophobic electroactive polymer to a water-based electrode. In addition, Pei et al. does not disclose a hydrophobic layer on a cavity-side surface of an electrode. Instead, Pei et al. indicates that electroactive polymers are rolled or folded into linear transducers and actuators that deflect axially while converting between electrical energy and mechanical energy. *See* Pei et al. at paragraphs 0135-0136. This would indicate to one skilled in the art that the electroactive polymer is within a linear transducer or actuator, not on a cavity-side surface of an electrode.

Because Pei et al. does not disclose all of the limitations arranged as recited in Claim 20, the reference does not anticipate Claim 20, nor the dependent Claims 21, 23 and 26-28. Therefore, Applicants respectfully request reconsideration and withdrawal of these rejections.

Claim Rejections under 35 U.S.C. § 103

Claims 22, 24 and 25 have been rejected as being obvious over Pei et al. in view of Peterson et al. (US 6,335,224). As discussed above, Pei et al. does not disclose the combination of limitations recited in independent Claim 20, from which Claims 22, 24 and 25 depend. The combination of Pei et al. with Peterson et al. asserted by the Examiner does not cure these

Appl. No. : 10/815,905
Filed : March 31, 2004

deficiencies. Therefore, Applicants respectfully request reconsideration and withdrawal of these rejections.

Applicants respectfully submit that this application is in condition for allowance, early notification of which would be appreciated. If the Examiner has any questions which may be answered by telephone, he is invited to call the undersigned directly at the telephone number provided below.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 9 August 2007

By: Joseph J. Mallon
Joseph J. Mallon
Registration No. 39,287
Attorney of Record
Customer No. 59,747
(619) 235-8550

3897489
061807